

18 21.12.2021

gd/ssd

WPA 4070 OF 2018
ABDUL KADIR @ KADER
VS
STATE OF WEST BENGAL & ORS.
(Through Video Conference)

Mr. Prosenjit Mukherjee,
Mr. Saptarshi Chakraborty,
Mr. Argha Kamal Das,
Ms. Poulami Dutta,
Ms. Tiyaasa Ghosh
..for the Petitioner

Mr. Jahar Lal De,
Mr. Shamim-ul-Bari
..for the State

Mr. Sujit Sankar Koley
..for WBSEDCL

Affidavit of service has been filed by the petitioner.

The grievance raised in the petition is in respect of the alleged decision to change the nature and character of pond and the bank of the pond being plot no.354/1777 of Mouza Amuddya.

Learned counsel for the petitioner has placed reliance upon Section 17A of the Inland Fisheries Act and has submitted that such a conversion is not permissible.

Learned counsel for the State and the Electricity Company have jointly submitted that subsequently the area has not been found viable for construction, therefore, the decision to raise the construction has been given up.

Counsel for the State and the Electricity Company have produced the communication dated 04.12.2017 in this regard.

In view of this, nothing survives in the present petition, which is accordingly dismissed.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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